

PATENT

02SW049

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being faxed to 703-872-9306 on the date shown below to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

**RECEIVED
CENTRAL FAX CENTER****JUN 15 2005**Date: 6-15-2005
Jeffrey R. Sadlowski**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Applicant(s): Steven M. Zink, *et al.*

Examiner: David Wiley

Serial No: 10/092,323

Art Unit: 2100

Filing Date: March 6, 2002

Title: SYSTEM AND METHODOLOGY PROVIDING OPTIMIZED DATA
EXCHANGE WITH INDUSTRIAL CONTROLLER

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**REQUEST TO RECONSIDER
PETITION TO MAKE SPECIAL PURSUANT TO 37 C.F.R. §1.102(d)**

Dear Sir:

Applicants hereby request reconsideration of their Petition to Make Special Pursuant to 37 C.F. R. § 1.102(d) filed on February 18, 2005. No fee is believed due; however, the Commissioner is authorized to charge any fees due to Deposit Account No. 50-1063 (Ref. No. ALBRP284US).

Applicants petition was dismissed for failure to comply with MPEP §708.02, Section VIII subsections (b), (c) and (e). Applicants' representative respectfully submits that the issues noted by the Examiner have been corrected in this Request to Reconsider

10/092,323

02SW049

and attached Supplemental Detailed Discussion of References from Pre-Examination Search.

Applicants hereby renew their request under 37 C.F.R. § 1.102(d) to make the above-identified patent application special.

(a) Applicants' have previously submitted a petition to make special accompanied by the fee set forth in 37 CFR § 1.17(h);

(b) Pursuant to MPEP § 708.02(VIII)(B), Applicants' representative submits that all pending claims (claims 1-39) are directed to a single invention. However, if the Office determines that all the claims presented are not obviously directed to a single invention, Applicants will make an election without traverse.

(c) Pursuant to MPEP § 708.02 VIII (C), a pre-examination search directed to the invention as claimed was conducted in the field of industrial controllers, and specifically included the following classes and subclasses:

- 700 DATA PROCESSING: GENERIC CONTROL SYSTEMS OR SPECIFIC APPLICATIONS
Subclasses: 1, 52, 73, 74
- 707 DATA PROCESSING: DATABASE AND FILE MANAGEMENT OR DATA STRUCTURES
Subclasses: 2, 10, 100, 102, 104.1
- 709 ELECTRICAL COMPUTERS AND DIGITAL PROCESSING SYSTEMS: MULTICOMPUTER DATA TRANSFERRING
Subclasses: 201, 202, 203, 217, 230
- 710 ELECTRICAL COMPUTERS AND DIGITAL DATA PROCESSING SYSTEMS: INPUT/OUTPUT
Subclasses: 1, 11, 33, 36, 52, 56
- 711 ELECTRICAL COMPUTERS AND DIGITAL PROCESSING SYSTEMS: MEMORY
Subclass: 100
- 712 ELECTRICAL COMPUTERS AND DIGITAL PROCESSING SYSTEMS: PROCESSING

10/092,323

02SW049

ARCHITECTURES AND INSTRUCTION
PROCESSING (E.G., PROCESSORS)
Subclass: 225

717 DATA PROCESSING: SOFTWARE
DEVELOPMENT, INSTALLATION, AND
MANAGEMENT
Subclasses: 174, 176, 177, 178

719 ELECTRICAL COMPUTERS AND DIGITAL
PROCESSING SYSTEMS: INTERPROGRAM
COMMUNICATION OR INTERPROCESS
COMMUNICATION (IPC)
Subclasses: 310, 313

The pre-examination search further included a keyword general literature search conducted *via* the Internet. A detailed discussion of the references most closely related to the subject matter encompassed by the claims of the subject invention is attached hereto and incorporated herein by reference.

Applicants' representative respectfully requests that the present application be granted special status pursuant to 37 C.F.R. § 1.102(d).

Respectfully submitted,

AMIN & TUROCY, LLP



Jeffrey R. Sadlowski
Reg. No. 47,914

AMIN & TUROCY, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731